

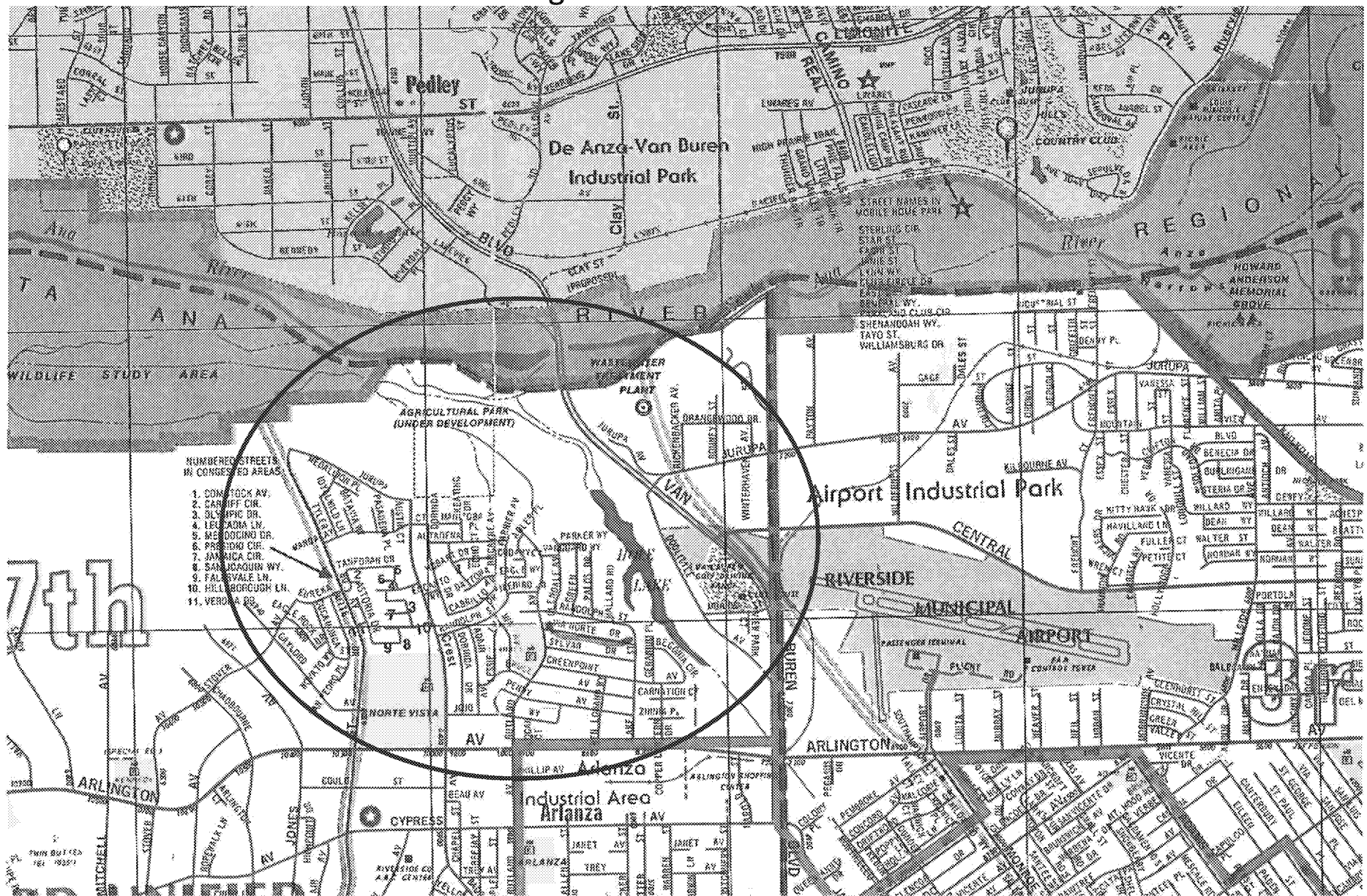
# Agricultural Park Riverside, CA

Former Camp Anza

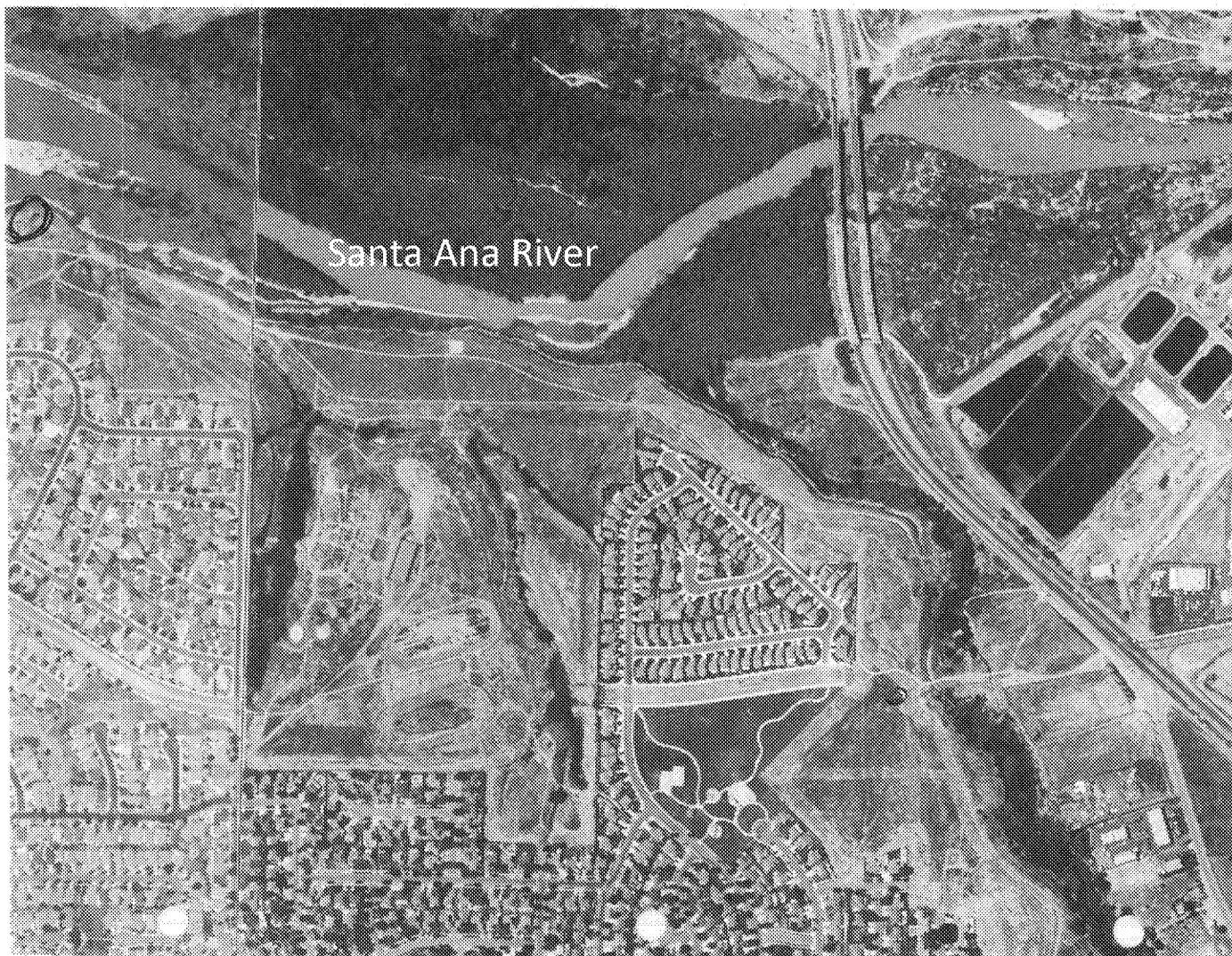
Former landfill

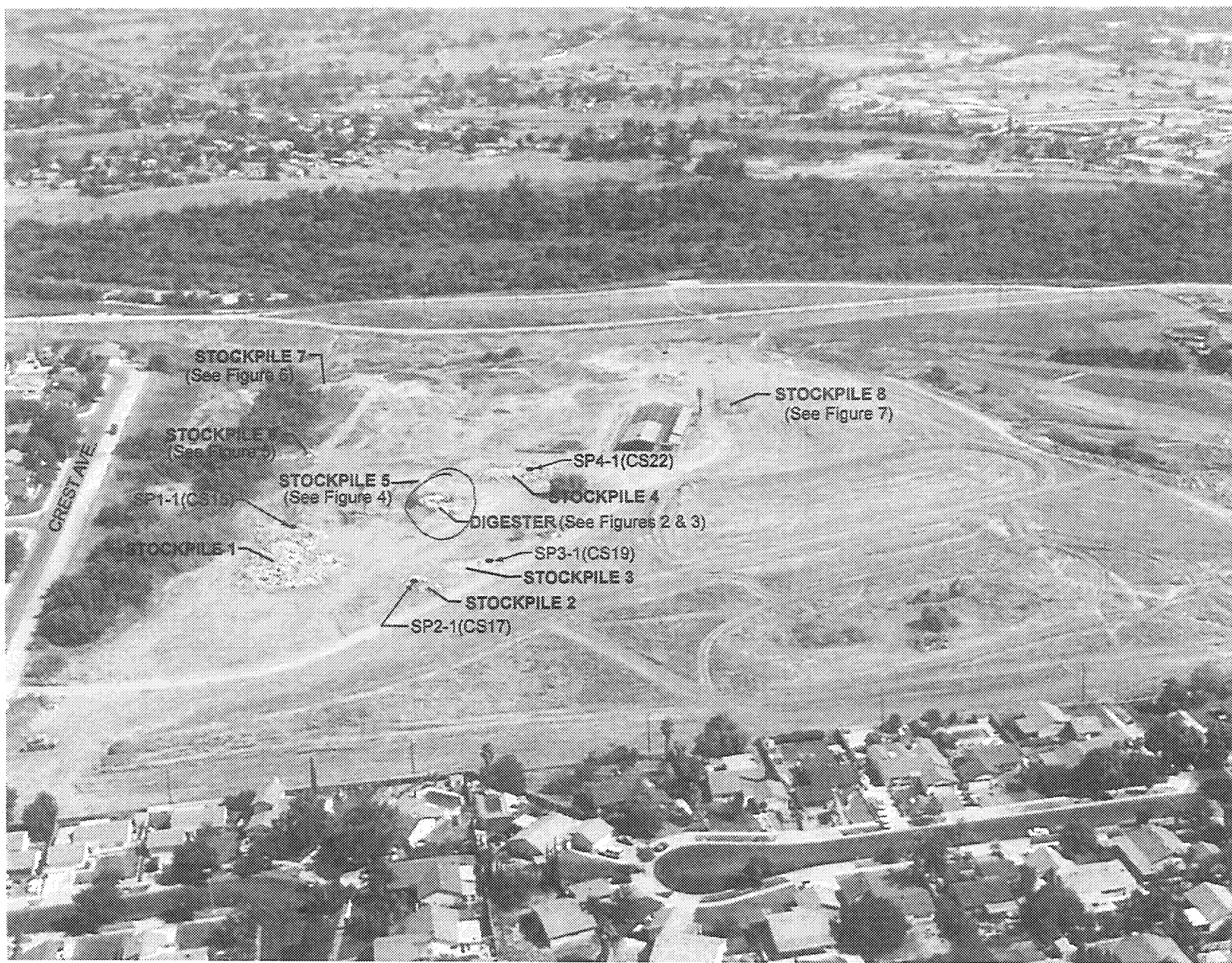
Former industrial sewer facility

# Ag Park Area



**AG Park  
aka Arroyo Park  
Riverside**







**U.S. Army constructed Camp Anza, 1942**

**Built a sewage treatment plant on site**

**Listed as a Formerly Used Defense Site (FUDS) but has never been investigated or characterized by the Camp Anza lead Agencies**



- 1942 – Army constructs Camp Anza and Sewer system/plant
- 1947 - Camp Anza Declared surplus and sold
- 1948 - private ownership of Camp Anza as industrial and residential sewer system/treatment plant
- 1949 - Rohr Corp. takes over most of Camp Anza for aircraft parts manufacturing– using old sewer.
- 1960- City of Riverside becomes owner-operator of sewer treatment plant.
- 1965 – city closes former sewer treatment plant
- 1980 – TSCA established creating PCB standards.
- 1980 – Rohr discloses to US. EPA that PCBs were used and stored on site at significant quantities.
- 1980 – Environmental laws prohibit disposal of hazardous materials to sewers.

- 1990 – City enters into negotiations to redevelop abandoned treatment plant known as the Ag Park.
- 2003- City of Riverside and Friends of Riverside Airport LLC (developer) swap Ag Park for land near Riverside Airport (crash zone and can't be developed for homes.)

# PCB spill

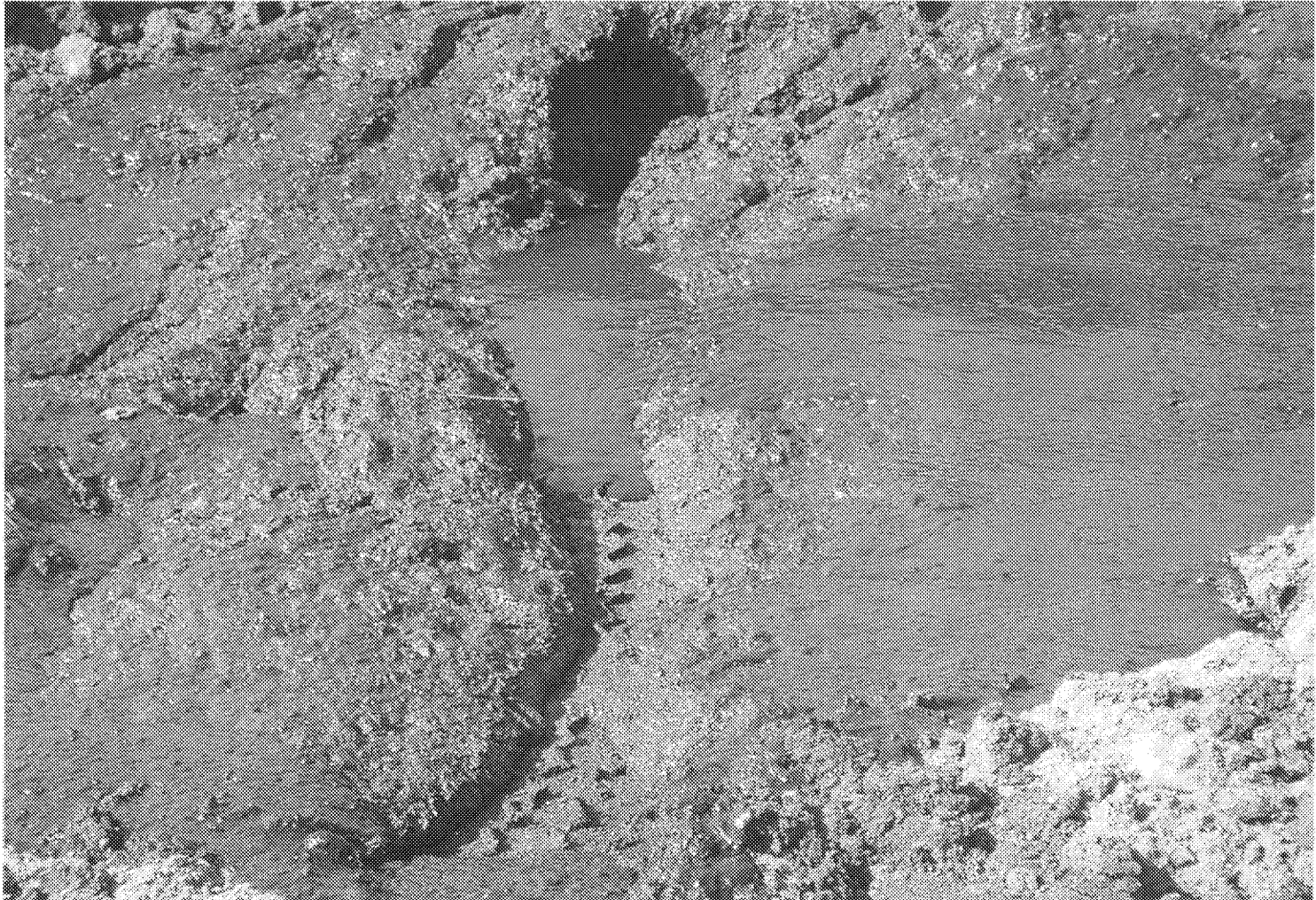
- In June of 2003 the developer proceeded to begin work on the site even though they did not yet own the land nor did they have any permits.
- Developers illegal grading caused the spill. In attempting to demolish an old digester, they ruptured the tank! June 17, 2003



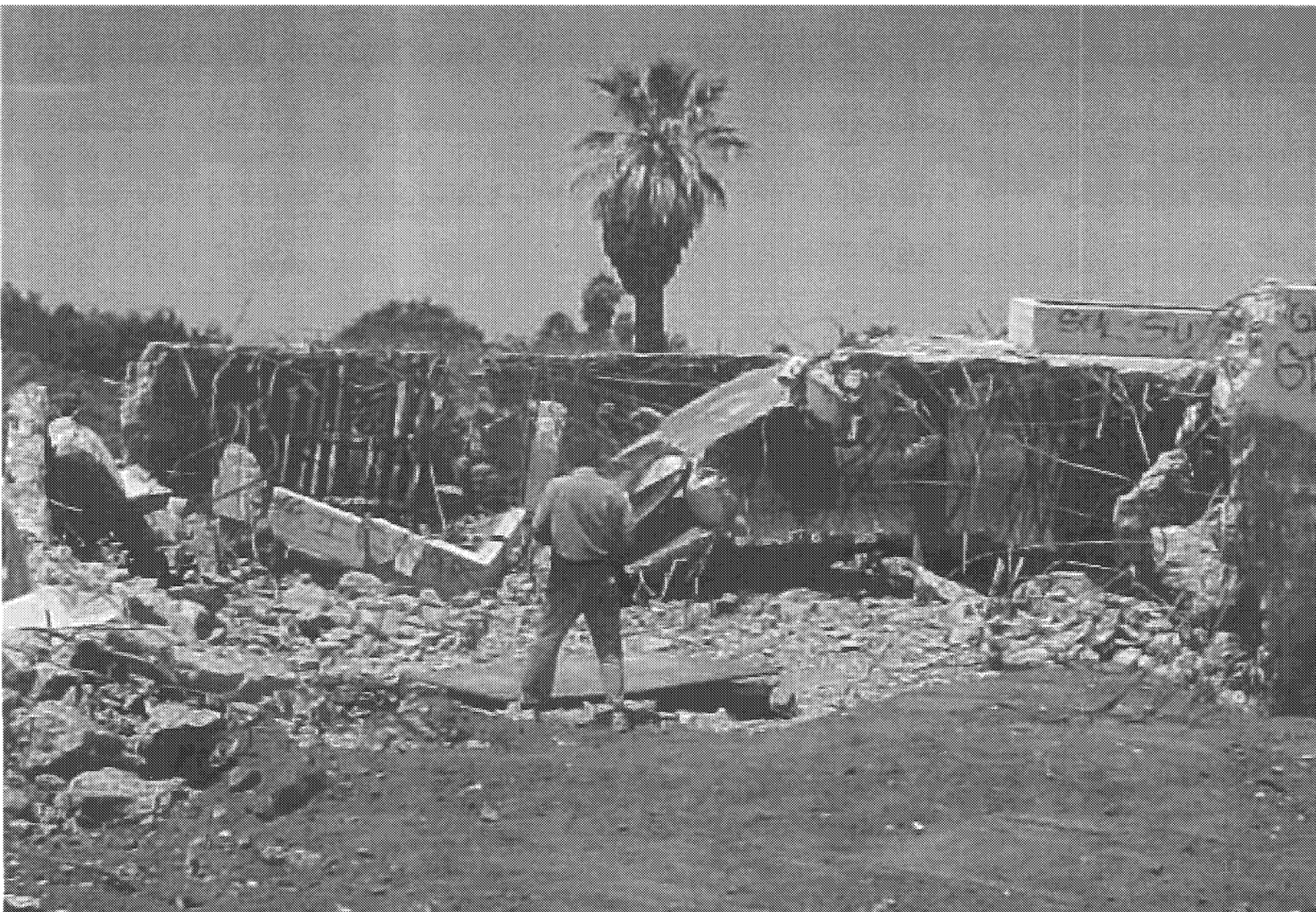
Digester containing the 40,000 gallons of PCB sludge



## AG Park Hazardous Waste spill containing PCBs, Heavy Metals, VOCs



Digest with PCBs being demolished. Note no protective clothing.



Memo to File

From: Debbie Anderson  
Associate Engineer



Subject: Jurupa Avenue Extension – Agricultural Park Site

Date: July 16, 2003

On the morning of July 7, 2003, Chuck Cox notified me via telephone that he had a problem at the Ag Park. He indicated that his contractor had encountered a tank full of sludge during removal of the abandoned Arlanza Treatment Plant facilities. The tank was breached resulting in a substantial sludge spill. His engineer, Bob Beers, estimated the total sludge volume (tank and spill) at around 43,000 gallons. Bob Beers indicated that the spill probably occurred on July 1 or 2. Prior to notifying the City, Mr. Cox unsuccessfully attempted to have the sludge pumped and removed from the site. According to Mr. Cox, the sludge could not be removed as the pumper truck operator refused to take the material to the Water Quality Control Plant (truck gage indicated pH value exceeding 8.5). I notified Tom Boyd, Steve Schultz, and Eddie Diaz of the sewage spill. Tom Boyd instructed Eddie Diaz to notify Mr. Cox to stop work. Tom Boyd also directed City Water Quality Control and Street Services staff to clean up the sludge spill. City staff arranged for pumping and cleanup of the tank and sampled the sludge for EPA priority pollutants.

On the morning of July 9, 2003, I meet with Eddie Diaz and Charles Sperino at the Ag Park sludge spill site. Evidence of massive grading operations far exceeding 50 cubic yards was observed. Further inspection of the site revealed that the Contractor had filled in two earthen swales that drain existing Jurupa Avenue and portions of the subdivisions at Rutland. Extensive ponding with algae and grass was observed on the paved roadway. Further inspection revealed that the contractor was still working on site in an area westerly and northerly of Rutland. Recent evidence of fill was observed in the "blue-line" stream area as designated on the USGS quad sheet and recent biotechnical reports for the project. Dead willow trees, stumps, earthen fill, and standing water were observed in the watercourse. An apparent earthen fill crossing had also been created in the drainage course. Eddie Diaz spoke with the equipment operator onsite at the time of our visit. The operator indicated that he was currently removing a spillway in a northerly portion of the drainage course. Pictures were taken documenting the site conditions. I was unable to download the photographs taken during the first visit so I returned to the site in the afternoon. Further site inspection revealed additional grading in the drainage course area westerly of Rutland Avenue. The equipment operator was still working on site. Erosion control measures, water trucks, or other dust control measures were not observed on site.

The photographs taken in the afternoon on July 9 are attached to this memo.

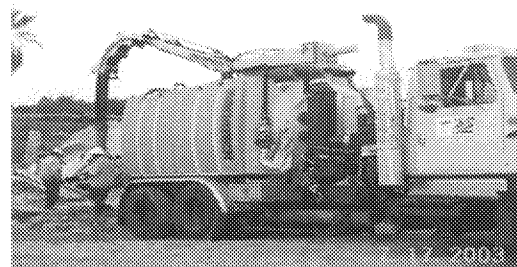
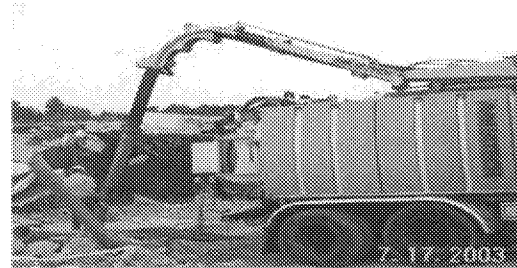
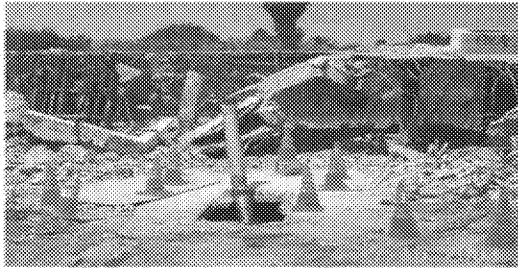
# No notification to agencies as required by law

- Multiple agency jurisdictions over spill and emergency response/cleanup
  - Fire Haz-mat, City, U.S. EPA, Cal OES, DTSC, Regional Water Quality Control Board, U.S. Fish and Wildlife, Fish and Game, U.S. Army Corp of Engineers.
- No notifications were made to Fire Haz-Mat unit or a mandatory reporting to the National Response Center/U.S. EPA until August 6, 2003.
- Appears City withheld vital information and provided materially false information on official documents to these agencies.



# City Workers Pumping Hazardous Waste Sludge for Transport to Acorn Street Plant

July 16 – July 23, 2013



In Letter from the City's attorney the City acknowledges the extent of hazardous waste contamination and that it should be evaluated as a CERCLA site. This was withheld from State, County, and Federal agencies.

"to establish liability under CERCLA, four elements are needed, all of which are met with respect to Goodrich": (and City?)

- (1) the site upon which hazardous substances are contained is a "facility";
- (2) a release or threatened release of any hazardous substances from the facility has occurred;
- (3) a such release or threatened release has caused the claimant to incur response costs that were necessary; and
- (4) the potentially responsible party is one of the four classes of person subject to CERCLA liability – owner or operator, past owner or operator arranger of hazardous waste disposal and transporters of such waste."

LOS ANGELES OFFICE  
611 WEST SIXTH STREET, SUITE 2300  
LOS ANGELES, CALIFORNIA 90017-3102  
Tel: (213) 235-0600  
Fax: (213) 235-2700

SAN DIEGO OFFICE  
402 WEST BROADWAY, SUITE 816  
SAN DIEGO, CALIFORNIA 92101-3553  
Tel: (619) 615-6672  
Fax: (619) 615-6573

e-mail: dgrosser@bwsllaw.com

LAW OFFICES  
**BURKE, WILLIAMS & SORESENSEN, LLP**  
3403 TENTH STREET, SUITE 300  
RIVERSIDE, CALIFORNIA 92501-3629  
Tel: (951) 788-0100  
Fax: (951) 788-5785  
www.bwsllaw.com

SAN JOSE OFFICE  
96 NORTH THIRD STREET, SUITE 607  
SAN JOSE, CALIFORNIA 95112-5572  
Tel: (408) 299-9432  
Fax: (408) 299-0419

ORANGE COUNTY OFFICE  
18261 WEST KARMAN AVENUE, SUITE 1000  
IRVINE, CALIFORNIA 92612-1009  
Tel: (949) 863-3301  
Fax: (949) 863-3300

VENTURA COUNTY OFFICE  
2340 EAST PONDREBA DRIVE, SUITE 215  
CARMELITA, CALIFORNIA 93619-4747  
Tel: (805) 482-1469  
Fax: (805) 482-5834

OUR FILE NO:  
0409-0031

October 18, 2004

VIA OVERNIGHT MAIL

Mr. Bruce C. Amig  
Director of Global Remediation  
B.F. Goodrich Aerospace  
Three Coliseum Centre  
2550 West Tyvola Road  
Charlotte, North Carolina 28217-3022

Re: City of Riverside – Agricultural Park ("Ag Park")  
Potential Liability of B.F. Goodrich Aerospace for former Rohr, Inc.  
Riverside, California Manufacturing Plant

Dear Mr. Amig:

This firm has been retained as special litigation counsel by the City of Riverside ("City") in reference to the Agricultural Park site ("Ag Park" or "Site") located at the intersection of Crest Avenue and Rutland Avenue in the City. The Site is currently owned by the City. We are writing to provide B.F. Goodrich Aerospace ("Goodrich") with notice of its potential liability as successor in interest to Rohr, Inc. ("Rohr") with respect to this Site.

Release of Chemicals on the Site









In July, 2003, the City discovered the presence of polychlorinated biphenyls ("PCBs") in soil at the Ag Park. While grading the Ag Park property, a contractor retained by a potential developer of the site, punctured a subterranean digester that had been part of the historical sewage treatment facility at the Site. The puncture caused a substantial spillage of sewer sludge into soil at the Site. The City undertook immediate measures to remove the sludge.

Since July, 2003, the City has retained environmental engineers who, under the oversight of the Riverside County Department of Environmental Health, have been actively investigating the Site. The City has now positively identified the presence of PCBs, and specifically but without limitation, the PCB known as Aroclor 1248, in high concentrations in the vicinity of the digester sludge release, as well as at other locations throughout the Site. In accordance with the



Contamination is off site but not included in remediation

Explanation

- S-4  Proposed river sediment sample location
- GW-2  Proposed groundwater sample location
- TP121  Test pit location (Geomatic)
- GMW-5  Groundwater monitoring well
- 19  Aroclor 1248 concentration in groundwater reported in micrograms per liter ( $\mu\text{g/L}$ )
- 0.14  Total polychlorinated biphenyl (PCB) concentration in soil reported equal or less than 0.22 milligrams per kilogram ( $\text{mg/kg}$ )
- 4.40  PCB concentration in soil reported greater than 0.22  $\text{mg/kg}$
- <0.35  Not detected at or above laboratory reporting limit as shown

Notes:

1. All locations are approximate.
2. Soil samples collected between surface and 0.75 feet below ground surface.
3. Test pit samples were collected by Geomatrix in July and October 2004.
4. PCBs were not detected above reporting limits in GMW-1, GMW-2, GMW-4, and GMW-5.



Basemap modified from  
aerial photograph from Bing Maps (Microsoft Corporation© 2011 and Digital  
Globe© 2010), and survey by Dawson Surveying, December 2004

PREVIOUS ON-SITE GROUNDWATER AND  
OFF-SITE SOIL RESULTS FOR PCBs  
AND PROPOSED SAMPLING LOCATIONS  
Riverside Agricultural Park  
Riverside, California

|         |                |                       |
|---------|----------------|-----------------------|
| By: pah | Date: 08/24/12 | Project No.: 9646.003 |
|---------|----------------|-----------------------|

**amec**

Figure 2

AG PARK ANALYTES

| LIST                                | RESULT  | DLR    | UNITS | DF   |
|-------------------------------------|---------|--------|-------|------|
| MERCURY -DOC#1                      | 12.3    | 0.12   | mg/Kg | 1    |
| MERCURY -DOC#2                      | 2.33    |        |       |      |
| ARSENIC -DOC#1                      | 8.74    | 1.00   | mg/Kg | 1    |
| ARSENIC -DOC#2                      | 1.66    |        |       |      |
| CHROMIUM -DOC#1                     | 768     | 1.00   | mg/Kg | 1    |
| CHROMIUM -DOC#2                     | 146     |        |       |      |
| LEAD -DOC#1                         | 1050    | 0.50   | mg/Kg | 1    |
| LEAD -DOC#2                         | 199     |        |       |      |
| SILVER -DOC#1                       | 60.0    | 0.50   | mg/Kg | 1    |
| SILVER -DOC#2                       | 11.4    |        |       |      |
| PCB-1242 (AROCOR) DOC#1             | 4930    | 50     | mg/Kg | 1000 |
| PCB-1242 (AROCOR) DOC#2             | 937     |        |       |      |
| TETRACHLOROETHANE-DOC#1             | 322.0   | 35.0   | ug/Kg | 7    |
| TETRACHLOROETHANE-DOC#2             | 61.1    |        |       |      |
| TOLUENE -DOC#1                      | 28,700  | 35.0   | ug/Kg | 7    |
| TOLUENE -DOC#2                      | 5,450   |        |       |      |
| TRICHLOROETHANE-DOC#1               | 190.0   | 35.0   | ug/Kg | 7    |
| TRICHLOROETHANE-DOC#2               | 36.1    |        |       |      |
| 1,2,4-TRICHLOROBENZENE<br>DOC#1     | 20,000  | 1665.0 | ug/Kg | 5    |
| 1,2,4-TRICHLOROBENZENE<br>DOC#2     | 3,800   |        |       |      |
| 1,2-Dichlorobenzene-Doc#1           | 35,000  | 1665.0 | ug/Kg | 5    |
| 1,2-Dichlorobenzene-Doc#2           | 6,650   |        |       |      |
| BIS(2-ETHYLHEXYL)PHTHALATE<br>DOC#1 | 212,000 | 1665.0 | ug/Kg | 5    |
| BIS(2-ETHYLHEXYL)PHTHALATE<br>DOC#2 | 40,200  |        |       |      |

mg/Kg = ppm (parts per million)

ug/Kg = ppb (parts per billion)

DLR- DETECTION LIMIT FOR PURPOSES OF REPORTING- BELOW THAT NUMBER IS ACCEPTABLE

DF- DILUTION FACTOR

Highlighted numbers  
are levels detected  
through testing.  
Column to right are  
the Detection limits-  
below that number  
is acceptable.  
*Above that number  
is not!*

# Violations

- Developer did not report the June 17<sup>th</sup> spill to City until July 7<sup>th</sup>.
- Only reason they did report was that vacuum truck company called to clean up sludge refused due to high PH.
- Suspect much of the sludge was spread around the site.
- Did not report release to any agency (Federal, state, County) as required by law.
- Upon receiving the report, the City sent city workers to clean up site without advising them of what they were dealing with and with no protective clothing.
- No Hazardous waste permits.
- Liquid PCB sludge was mixed with soil and spread on drying beds at City sewer treatment plant – where NO Hazardous waste is allowed to be accepted.
- City reports spill to County which requires clean up to non detect.
- City then turns to DTSC, which allows a clean up goal of .22mg/kg for soil. Allowing this level of PCBs in soil will carry PCB contaminated soil into the Santa Ana River causing the degradation of a known domestic drinking water source.

# Continuing Concerns

1. The site, once a Formerly Used Defense Site (FUDS), with potential for explosives, ordinance and chemical warfare material contamination—has not been fully investigated or characterized by the Camp Anza lead agencies.
2. The groundwater is contaminated with PCBs, perchlorate, total lead, thallium, dioxin and furans per consultant's report
3. Stormwater from this site will carry PCBs and other contaminants into the Santa Ana River causing degradation of a known domestic drinking water source for Orange County – according to Frey Environmental Report dated Oct. 11, 2005.
4. A survey conducted of the residents surrounding the Ag Park indicates an elevated number of cancers which could indicate a cancer cluster. Medical evaluation should have been done for each resident for health issues.
5. Dust Monitoring indicated high levels of PM10 – over the maximum health level and consultants did not follow the AQMD Rule 1150 – consultants did not have permit nor did they report these levels to AQMD.
6. Evidence indicates the Sewer Treatment Plant main sewer is contaminated with PCBs and should be removed and disposed as TSCA waste.
7. Consultant's reports for the Ag Park did not address the 10,000 gallon spill of PCB contaminated sludge which occurred June, 2003 or the 40,000 gallons of PCB contaminated sludge illegally transported to the new Acorn Sewer Plant in July of 2003.

# Air Monitoring

## DUST MONITORING LOG COX PROPERTIES - AG PARK RIVERSIDE, CA

| DATE     | Wind Direction | UPWIND ( $\mu\text{g}/\text{m}^3$ ) |      |       |       | DOWNWIND ( $\mu\text{g}/\text{m}^3$ ) |      |       |       | $\Delta$ | CHAIR    |
|----------|----------------|-------------------------------------|------|-------|-------|---------------------------------------|------|-------|-------|----------|----------|
|          |                | Tag                                 | Time | Con   | Speed | Tag                                   | Time | Con   | Speed |          |          |
| 10/23/13 | S              | 51                                  | 0721 | 338.4 | 1.8   | 73                                    | 0726 | 152.9 | 1.0   | 185.5    | FOG      |
|          | SE             | 51                                  | 0820 | 368.8 | 1.4   | 73                                    | 0825 | 141.9 | 0.9   | 226.9    | FOG      |
|          | SE             | 51                                  | 0920 | 302.4 | 0.7   | 73                                    | 0925 | 115.7 | 1.4   | 186.7    | FOG      |
|          | SE             | 51                                  | 1020 | 314.7 | 1.4   | 73                                    | 1025 | 123.8 | 0.5   | 190.9    | FOG      |
|          | SE             | 51                                  | 1120 | 290.5 | 4.9   | 73                                    | 1125 | 130.7 | 4.5   | 159.8    | FOG      |
|          | SE             | 51                                  | 1220 | 304.1 | 2.7   | 73                                    | 1225 | 139.3 | 2.4   | 164.8    | FOG      |
|          | SE             | 51                                  | 1320 | 357.6 | 1.0   | 73                                    | 1325 | 162.9 | 2.9   | 194.7    | FOG      |
|          | SE             | 51                                  | 1420 | 331.2 | 5.2   | 73                                    | 1425 | 131.0 | 4.3   | 200.2    | FOG      |
|          | SE             | 51                                  | 1454 | 345.9 | 4.3   | 73                                    | 1500 | 154.3 | 5.0   | 191.6    | FOG      |
| 10/24/13 | SE             | 52                                  | 0725 | 410.4 | 1.1   | 76                                    | 0729 | 184.5 | 1.8   | 225.9    | 0720 FOG |
|          | SE             | 52                                  | 0820 | 374.1 | 1.0   | 76                                    | 0825 | 157.4 | 1.9   | 216.7    | FOG      |
|          | SE             | 52                                  | 0920 | 278.4 | 3.4   | 76                                    | 0925 | 124.3 | 2.4   | 154.1    | FOG      |
|          | SE             | 52                                  | 1020 | 272.9 | 3.1   | 76                                    | 1025 | 125.6 | 3.0   | 152.3    | FOG      |
|          | SE             | 52                                  | 1120 | 317.5 | 3.3   | 76                                    | 1125 | 146.9 | 3.4   | 170.6    | FOG      |
|          | SE             | 52                                  | 1220 | 329.1 | 1.9   | 76                                    | 1225 | 161.1 | 4.3   | 168      | FOG      |
|          | SE             | 52                                  | 1322 | 366.2 | 2.5   | 76                                    | 1329 | 140.0 | 4.0   | 226.2    | FOG      |
|          | SE             | 52                                  | 1420 | 367.5 | 2.9   | 76                                    | 1425 | 163.3 | 3.0   | 204.2    | FOG      |
|          | SE             | 52                                  | 1455 | 355.6 | 3.3   | 76                                    | 1500 | 165.3 | 3.0   | 190.3    | FOG 1500 |

“The action level of 7 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) was established...”

“Exceedances of this level indicated potentially elevated levels of PCBs.”

• (Emphasis added)

# Water

- Groundwater is contaminated with PCBs, perchlorate, total lead, thallium, dioxin and furans
- Groundwater was estimated to flow north at a rate of 0.023 feet per foot.

*“it should be noted that the groundwater flows directly into the Santa Ana River which is a primary source of drinking water for Orange County; this poses a real threat to degrading the river’s water quality.”*

- Conclusion in report says contaminates from site won’t migrate to river.

This statement is contrary to evidence within report and does not mention the Santa Ana River as a domestic drinking water source

# FUDS

## Camp Anza (FUDS#J09CA026700)

- As a Formerly Used Defense Site (FUDS) which has potential ordinance, explosives (UXO,MES) and chemical warfare material contamination; this site has not been investigated or characterized by the Camp Anza lead agency, Santa Ana Regional Water Quality Control Board, U. S. Army Corps. Of Engineers or DTSC.

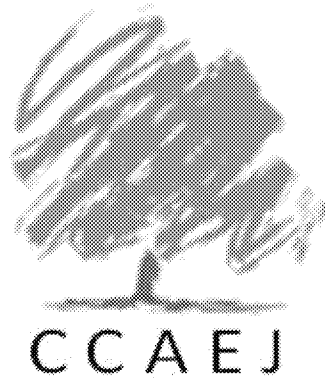


# Requests to DTSC

- **Withdraw your Letter of “No Further Action Needed” until a full, transparent and comprehensive investigation can take place.**
- **Include other agencies (U.S. EPA, AQMD, CDPH Santa Ana Regional Water Quality Control Board, California Department of Fish and Wildlife) to conduct a full investigation into the site.**
- **To include testing for ordinances, explosives and chemical warfare materials contamination;**
- **Take steps for groundwater remediation, and protection of the Santa Ana River as a domestic drinking water source.**
- **Air & soil monitoring at residents’ homes and yards.**
- **Proper characterization of the site according to Federal EPA SW846 grid sampling protocol.**
- **Appropriate medical evaluation of each resident for health issues that may have been exacerbated by the mishandling of the sites investigation by DTSC staff, City management and the developers consultants.**

# Requests to EPA

- Investigate the site under TSCA
- Investigate the site under CERCLA for inclusion as an NPL site.
- Provide off-site remediation for groundwater
- Provide off-site remediation of homes where contamination is found.
- Petition ATSDR to examine health issues.
- And conduct a criminal investigation into the negligent and possible criminal activities of all those involved in the clean up activities.



# Center for Community Action & Environmental Justice

PO Box 33124  
Jurupa Valley, CA 92519  
951-360-8451  
[penny.n@ccaej.org](mailto:penny.n@ccaej.org)